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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No.3767 of 2007

Petitioners	1.	Shiv Kumar Garhpayale, S/o Late Shri Shravan Ram Garhpayale Age about 48 years, Assistant Teacher Govt. Primary School, Kasari, Distt. - Rajnandgaon (C.G.)
	2.	Ku. Kavita Shende (Now Smt. Kavita Garhpayale) W/o. Shri Shiv Kumar Garhpayale Age about 38 years, Assistant Teacher Govt. Primary School No.7, Station Para, Distt. - Rajnandgaon (C.G.)

Versus

Respondents	1.	State Govt. of Chhattisgarh Through Secretary School Education Department Ministry, D.K.S. Bhawan, Raipur (C.G.)
	2.	District Education Officer, Distt - Rajnandgaon (C.G.)

(Writ Petition under Article 226 of the Constitution of India)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Shri Ajay Shrivastava, counsel for the petitioners.
Shri Yashwant Singh Thakur, Govt. Advocate for the State/respondents.

ORDER
(Passed on 2nd July, 2007)

Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}**, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal**

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Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B.Ed Examination Certificate on their own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether they have been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Indu